

01-08-01
Section 3
Attorney Docket No. 970113R/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Tomio KIMURA al
Serial No. : 09/678,218
Filed : September 29, 2000
For : 1,2-DIPHENYLPYRROLE
DERIVATIVES, THEIR
PREPARATION AND
THEIR THERAPEUTIC USES

Art Unit : 1613

Examiner :

FILING

(1) MISSING DECLARATION; and
(2) CONSENT OF ASSIGNEE;
STATEMENT OF NON-ASSIGNMENT

Assistant Commissioner for Patents

S I R :

ATTENTION: CUSTOMER SERVICE CENTER

The NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION -
Filing Date Granted dated November 6, 2000 (copy enclosed),
specified that the Oath or Declaration had been omitted and
required that it be filed within two months from November 6,
2000, the mailing date of said NOTICE.

Enclosed herewith is the executed Reissue Application
Declaration dated December 4, December 5, December 8 and
December 15, 2000. Please enter it in the file of the above-

"Express Mail Mailing Label
No.: EL 688 710 091 US

Date of Deposit: January 5, 2001
I hereby certify that this paper is
being deposited with the United
States Postal Service "Express Mail
Post Office to Addressee" service
under 37 CFR 1.10 on the date
indicated above and is addressed to
the Assistant Commissioner for
Patents, Washington, D.C. 20231

Francine E. Smith
Francine E. Smith

In the event that this Paper is late
filed, and the necessary petition for
extension of time is not filed
concurrently herewith, please
consider this as a Petition for the
requisite extension of time, and to
the extent not tendered by check
attached hereto, authorization to
charge the extension fee or any other
fee required in connection with this
paper, to Account No. 06-1378.

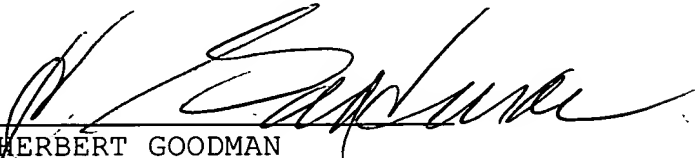
identified application.

Please apply the enclosed check in the amount of \$130.00 as the surcharge for filing the Declaration on a date later than the filing date of the application.

Enclosed herewith is the signed and dated REISSUE APPLICATION; CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT PTO/SB/53.



Respectfully submitted,


HERBERT GOODMAN
Reg. No. 17,081

Frishauf, Holtz, Goodman,
Langer & Chick, P.C.
767 Third Avenue - 25th Floor
New York, NY 10017-2023
Telephone: (212) 319-4900
Facsimile: (212) 319-5101
HG/fs

3



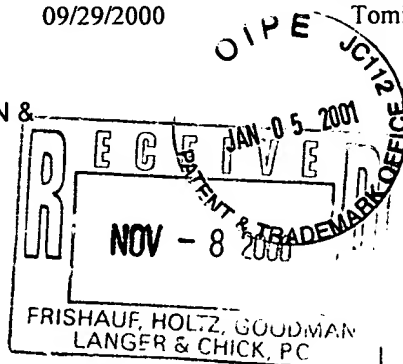
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/678,218	09/29/2000	Tomio Kimura	970113R/HG

001933

FRISHAUF, HOLTZ, GOODMAN &
LANGER & CHICK, PC
767 THIRD AVENUE
25TH AVE
NEW YORK, NY 10017-2023



FORMALITIES LETTER



OC000000005532730

Date Mailed: 11/06/2000

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/11/2001 AGOITOM 00000066 09678218
01 FC:105
130.00 OP

Attorney Docket No. 970113R/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Tomio KIMURA et al
Serial No. : 09/678,218
Filed : September 29, 2000
For : 1,2-DIPHENYLPYRROLE
DERIVATIVES, THEIR
PREPARATION AND
THEIR THERAPEUTIC USES
Art Unit : 1613

REQUEST FOR CORRECTED FILING RECEIPT


Assistant Commissioner for Patents
S I R :

ATTENTION: CUSTOMER SERVICE CENTER

The official Filing Receipt contains an error. It only identifies six of the seven inventors of the above-identified application. It does not identify **Shigeru Ushiyama, Tokyo, Japan**. Attached hereto is a copy of the official Filing Receipt showing the requested correction in red.

Please issue a corrected Filing Receipt.

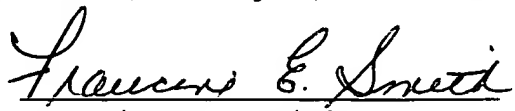
Respectfully submitted,


HERBERT GOODMAN
Reg. No. 17,081

Frishauf, Holtz, Goodman,
Langer & Chick, P.C.
767 Third Avenue - 25th Floor
New York, NY 10017-2023
Telephone: (212) 319-4900
Facsimile: (212) 319-5101
HG/fs

"Express Mail Mailing Label
No.: EL 688 710 091 US

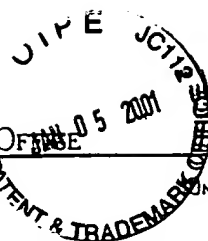
Date of Deposit: January 5, 2001
I hereby certify that this paper is
being deposited with the United
States Postal Service "Express Mail
Post Office to Addressee" service
under 37 CFR 1.10 on the date
indicated above and is addressed to
the Assistant Commissioner for
Patents, Washington, D.C. 20231


Francine E. Smith

In the event that this Paper is late
filed, and the necessary petition for
extension of time is not filed
concurrently herewith, please
consider this as a Petition for the
requisite extension of time, and to
the extent not tendered by check
attached hereto, authorization to
charge the extension fee or any other
fee required in connection with this
paper, to Account No. 06-1378.

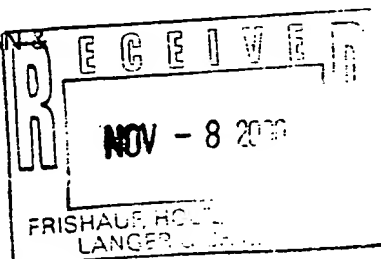


UNITED STATES PATENT AND TRADEMARK OFFICE


 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/678,218	09/29/2000	1613	690	970113R/HG		41	1

001933

 FRISHAUF, HOLTZ, GOODMAN &
 LANGER & CHICK, PC
 767 THIRD AVENUE
 25TH AVE
 NEW YORK, NY 10017-2023


FILING RECEIPT



OC000000005532729

Date Mailed: 11/06/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 Tomio Kimura, Tokyo, JAPAN;
 Yasuo Noguchi, Hiratsuka, JAPAN;
 Akira Nakao, Tokyo, JAPAN;
 Keisuke Suzuki, Tokyo, JAPAN;
 Akihiro Kawara, Yokohama, JAPAN;
 Masaaki Miyamoto, Fujisawa, JAPAN;

SHIGERU USHIYAMA, Tokyo, JAPAN;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A REI OF 08/824,775 03/26/1997 PAT 5,908,858

Foreign Applications

JAPAN HEI 08-083562 04/05/1996

If Required, Foreign Filing License Granted 11/04/2000

Title

1,2-Diphenylpyrrole derivatives, their preparation and their therapeutic uses

Preliminary Class

514

KIMURA

Serial No. 09/678,218

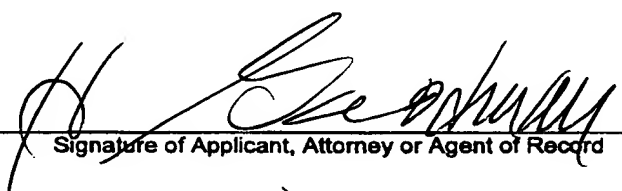
Art Unit: 1626

Examiner: L. Stockton

PTO/SB/56 (12-97)

Approved for use through 9/30/00. OMB 0651-0033
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION FEE TRANSMITTAL FORM					Docket Number (Optional) 970113R/HG			
Claims as Filed - Part 1								
Claims in Patent	For	Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 43	Total Claims (37 CFR 1.16(j))	(B) 41	**** 0 =	x \$	=	or	x \$ =	
(C) 1	Independent Claims (37 CFR 1.16(i))	(D) 1	* 0 =	x \$	=		x \$ =	
Basic Fee (37 CFR 1.16(h))					\$		\$	
Total Filing Fee					\$	OR	\$	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 71	MINUS	** 43	= 28	x \$	=	or	x \$18 = 504.00
Independent Claims (37 CFR 1.16(i))	*** 3	MINUS	***** 1	= 2	x \$	=		x \$80 = 160.00
Total Additional Fee					\$	OR	\$ 664.00	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims</p> <p>**** If "A" is greater than 20, use (B - A); If "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p>								
<p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>06-1378</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ <u>664.00</u> to cover the filing / additional fee is enclosed.</p>								
September 19, 2001		 Signature of Applicant, Attorney or Agent of Record Herbert Goodman, Reg. No. 17,081 Typed or printed name						
Date								

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC: 20231.